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VIA EMAIL

July 28, 2020

Hon. Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

Re: *United States v. Avenatti*, Case No. 19 Cr. 374 (JMF)

Dear Judge Furman:

I write to you seeking to file the accompanying *ex parte* supplemental declaration of Thomas D. Warren, as well as this letter motion, under seal. On July 27, 2020, the Court ordered Defendants' counsel to explain the nature of Warren Terzian LLP's conflict of interest "under seal, if appropriate and warranted." ECF 63.

"[D]ocuments in support of motions to withdraw as counsel are routinely filed under seal where necessary to preserve the confidentiality of the attorney-client relationship between a party and counsel, and ... this method is viewed favorably by courts." *Thekke v. LaserSculpt, Inc.*, No. 11 civ. 4426 (HB) (JLC), 2012 WL 225924, at *3 (S.D.N.Y. Jan. 23, 2012), quoting *Team Obsolete Ltd. v. A.H.R.M.A. Ltd.*, 464 F. Supp.2d 164, 166 (E.D.N.Y. 2006); *Karimian v. Time Equities, Inc.*, 2011 WL 1900092, at *7 (S.D.N.Y. May 11, 2011).

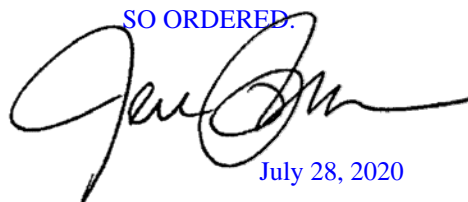
My supplemental declaration discusses information gleaned from privileged communications with Mr. Avenatti and another client. Accordingly, sealing and submission *ex parte* are proper to safeguard the attorney-client privilege and California and New York professional responsibility rules governing confidentiality.

Respectfully,

/s/ Thomas D. Warren
Thomas D. Warren

The Court agrees that the supplemental declaration can and should remain under seal as it discusses confidential attorney-client communications. But the Court sees no basis to seal this letter, which merely describes the basis for sealing the declaration and does not include any of the confidential communications themselves. The Clerk of Court shall file and maintain the declaration under seal.

SO ORDERED.



July 28, 2020